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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/581,231

06/02/2006

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EXAMINER

VU, HOANG-CHUONG Q

ART UNIT

PAPER NUMBER

2476

MAIL DATE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 10/581,231	<b>Applicant(s)</b> JIANG ET AL.	
	<b>Examiner</b> HOANG-CHUONG Q. VU	<b>Art Unit</b> 2476	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 19 January 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
 The status of the claim(s) is (or will be) as follows:  
 Claim(s) allowed: \_\_\_\_\_.  
 Claim(s) objected to: 1 and 7.  
 Claim(s) rejected: 1,5-7,9 and 10.  
 Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
 13. ☐ Other: \_\_\_\_\_.

/Ayaz R. Sheikh/  
 Supervisory Patent Examiner, Art Unit 2476

Continuation of 7: Amendment to objected claims 1 and 7 for informalities will be entered.

Continuation of 11:

Applicant's remarks/arguments with regards to independent claims 1 and 7 have been fully considered but they are not persuasive.

On pages 5-7 of the Applicant's remarks, Applicant argues that nowhere in Parruck discloses or teaches that device 16 (located within line card) can be used to interconnect the cell traffic and the packet traffic. The examiner respectfully disagrees because Parruck discloses MUX/DEMUX device 16 which can receive ATM traffic and Packet traffic and multiplex both types to produce outputted ATM and Packet flow on link 15 (see Fig. 3). Thus the MUX/DEMUX 16 interconnects the cell traffic and packet traffic and transmits cell and packet traffic. Further, this also shows in Fig. 5 which describes multi-service SAR 128 that includes circuitry (functional blocks) for cell processing and packet processing (col. 4 lines 5-7). The processed traffic is inputted into Framer 123 (framer 123 includes mapper/demapper to combine/separate ATM cells and packets (col. 13 lines 60-62)) (demap as in ingress mode and map in egress mode) and then to SERDES (serial to parallel/parallel to serial) (demux/mux). Traffic from SERDES is then inputted to OC-192 for transmission.

Applicant further argues that Fig. 3 of Parruck shows cables 14, 15 are unidirectional which is different from the bidirectional service signals interconnected by the multiple service cross processing unit. The Examiner respectfully disagrees because MUX/DEMUX 16 interconnects ATM traffic and Packet traffic which shown as bidirectional service signals. Claim 1 only recites the multiple service cross processing unit for transfer service signals from the local interface to the service processing units and via versa. Thus Parruck clearly suggests that MUX/DEMUX 16 for transferring service signals in both directions. Moreover, claim 1 does not require a link/connection between local interface and processing units as a bidirectional link/connection. Thus it is noted that the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant also states that interconnection of router and switch of Parruck does not relate at all to synchronous digital hierarchy (SDH) multi-service transfer. The examiner respectfully disagrees because what Parruck discloses is directed related to SONET/SDH service signals. Multi-service SAR (Fig. 5) processes ATM cells and MPLS packets and outputs the traffic into Framer 123. Framer 123 is a SONET/SDH mapper/demapper (col. 13 lines 55-65) and that service signals are transmitted as OC (optical carrier).

In addition, Applicant also concludes that there is no motivation for one of ordinary skill in the art to utilize the teaching of Parruck to employ multiple different service processing units in one line card. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Fig. 4 of Parruck suggests that traffic to one line card takes different forms such as packets, ATM cells, and AAL5 cells. Thus, it would have been obvious to one of ordinary skill in the art to employ processing units/circuits in each line card to process multiple types of signals.